

REMARKS

By the present amendment, Claim 1 has been amended to recite the subject matter of claim 19.

Accordingly, claim 19 has been cancelled and claim 20 has been amended to depend on claim 1 instead of claim 19.

Also, new claim 22 dependent on claim 1 has been added to recite a flexibility feature corresponding to the recitation in claim 1 before the present amendment, i.e., that the free end of the resilient element is flexibly deformed to widen the gap to allow insertion of the structural element.

New claims 23-25 have been added. Claim 23 corresponds to claim 16 rewritten in independent form to incorporate the subject matter of claims 1 and 7 before the present amendment while replacing “vibratory element” by “vibratory means.” Claims 24-25 correspond to claims 16-17, respectively, but depend on claim 23 instead of claim 16.

Claims 1-2, 4-5, 7-18, and 20-25 are pending in the present application. Claims 1 and 23 are the only independent claims.

I. Indefiniteness rejection

In the Office Action, claims 1-2, 4-5, and 7-14 are rejected under 35 U.S.C. 112, second paragraph, as indefinite. It is alleged that claim 1 lacks antecedent basis for the vibratory element.

Claim 1 has been amended to recite the subject matter of claim 19, and the recitation of claim 1 incorporated into claim 23 has been modified to replace “vibratory element” by “vibratory means.” Accordingly, it is submitted that the rejection should be withdrawn.

II. Art rejections

In the Office Action, claims 1-2, 4-5, and 7-12 are rejected under 35 U.S.C. 103(a) as obvious over US 3,934,283 to Raffel (“Raffel”) in view of US 6,453,523 to Teidemann (“Teidemann”).

Further, claims 13-14 are rejected under 35 U.S.C. 103(a) as obvious over Raffel and Teidemann, further in view of US 6,669,291 to Hsiao (“Hsiao”).

Claim 1 has been amended to recite the subject matter of claim 19, which is not included in this rejection. Accordingly, it is submitted that the rejections are moot.

In view of the above, it is submitted that the rejections should be withdrawn.

Further, it is noted that independent claim 23 recites the subject matter of previous claim 16, which was not included in this rejection.

Conclusion

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Amendment
US Appl. No. **10/598,699**
Attorney Docket No. **PSA0450497**

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 502759.

Respectfully submitted,

/nicolas seckel/

Nicolas E. Seckel
Attorney for Applicants
Registration No. 44,373

Nicolas E. Seckel
Patent Attorney
1250 Connecticut Avenue NW Suite 700
Washington, DC 20036
Tel: (202) 669-5169
Fax: (202) 822-1257
Customer No.: 29980
NES/rep